

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE

EQUAL EMPLOYMENT)	
OPPORTUNITY COMMISSION,)	
)	
Plaintiff)	C.A. No. 05-697-KAJ
v.)	
)	
BE&K ENGINEERING COMPANY)	
(subsidiary of BE&K, Inc.),)	
Defendant)	

**DEFENDANT BE&K ENGINEERING COMPANY'S
MOTION FOR SUMMARY JUDGMENT**

Defendant BE&K Engineering Company, by and through its undersigned counsel hereby moves for summary judgment in the above-captioned action pursuant to Federal Rule of Civil Procedure 56. The grounds for this Motion are set forth in Defendant's Opening Brief, which is filed simultaneously herewith.

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Attorneys for Defendant

DATE: September 5, 2006

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CERTIFICATE OF SERVICE

I, Margaret M. DiBianca, Esq., hereby certify that on Tuesday, September 5, 2006 I electronically filed a true and correct copy of the foregoing **Defendant BE&K Engineering Company's Motion For Summary Judgment**, with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the counsel of record, and further certify that I caused a copy of such filing to be served by U.S.P.S. First Class Mail on the following counsel of record:

Woody Anglade
U.S. Equal Employment
Opportunity Commission
21 South 5th Street
Suite 400
Philadelphia, PA 19106-2515

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DATED: September 5, 2006